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**SOUTH CAROLINA  
STATE BOARD  
OF  
ENGINEERING  
EXAMINERS**

**ANNUAL REPORT FOR  
FISCAL YEAR 1977-78**



**Printed Under the Direction of the  
State Budget and Control Board**

August 24, 1978

# SOUTH CAROLINA STATE BOARD OF ENGINEERING EXAMINERS

## ANNUAL REPORT FOR FISCAL YEAR 1977-78



This Board came into existence in 1972 and has continuously maintained a history of income from its assessment system. Expenses, subject to the necessary vote of the Board, are paid out of the income. Since 1972, all funds collected have been deposited in the State Treasury, paid out only upon appropriation by the State Budget and Control Board, and annual audits have been conducted by the State Auditor. Effective July 1, 1978, the Board is the product of the General

Printed Under the Direction of the  
State Budget and Control Board



## TABLE OF CONTENTS

	Page Number
Letter to Governor from Chairman and Secretary of the Board of Engineering Examiners .....	1
A. Statutory Authority for Agency	
B. History of the Agency	
Listing of Board Members .....	3
Organization and Description of Activities .....	4
Statistical Data .....	5
Financial Report .....	7
Enforcement and Compliance Program .....	8
A. Enabling Legislation	
B. Report of Board Investigator	
C. Summary of Enforcement and Compliance Matters	
Future Objectives .....	13
Publications .....	15

August 24, 1978

The Honorable James B. Edwards  
Governor of South Carolina  
State House  
Columbia, South Carolina 29211

Your Excellency:

This letter is being provided to you as required by the provisions of Section 40-21-170 of the Code of Laws of South Carolina (1976), and as a portion of this Board's Annual Report for Fiscal Year 1977-1978 submitted to the Budget and Control Board as required by Section 143 of the General Appropriations Act.

This Board administers the provisions of Title 40, Chapter 21, of the Code of Laws of South Carolina (1976), as amended, which require that any person in a public or private capacity practicing or offering to practice engineering or land surveying must submit evidence that he is qualified to do so and must be licensed by the State for practice. The Board evaluates the qualifications of applicants for registration, examines applicants by oral and written examinations, all for the purpose of safeguarding life, health, property and welfare of the public by maintaining high standards of performance in the practice of engineering and land surveying.

In carrying out our mission to ensure that the interests of the public are effectively served, constant attention is paid to our Enforcement and Compliance Program involving investigations of complaints of violations of the Code of Laws governing the practices of engineering and land surveying in South Carolina, and including enforcement of the provisions of the Rules of Professional Conduct, which are binding upon all registrants, as well as the provisions of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.

This Board came into existence in 1922 and has historically maintained a balance of income from fee assessments against expenses sufficient to support the necessary costs of our operations without imposing any financial burden on the public. Since 1922, all funds collected have been deposited with the State Treasurer, paid out only upon approval of the Budget and Control Board, and annual audits have been conducted by the Office of the State Auditor.

Effective July 1, 1976, pursuant to the provisions of the General



Appropriations Act, the Board first became dependent upon an annual appropriation by the General Assembly, with a proviso that the Board shall collect fees in an amount to at least equal the amount appropriated for our fiscal year operations. During fiscal year 1977-78, as we have done since 1922, the Board maintained a self-sustaining operation well within the budgetary limitations and objectives of the General Appropriations Act. Through effective cost consciousness and analysis, we shall continue to meet the costs of our operations through fee assessments calculated to achieve this objective.

The members of this Board do indeed hope that Your Excellency will find the contents of our Annual Report for Fiscal Year 1977-1978 both informative and constructively aimed at displaying the ongoing results of our efforts to improve the education, skill and practice of registrants of this Board. We continue to enjoy the assistance and support of some 4800 registrants as well as that of enthusiastic members of engineering and land surveying organizations in the furtherance of our endeavors. With this assistance and the support of the public at large, it is our intention to continue to vigorously pursue our programs aimed at achieving increasingly competent and responsible services to the public in an economic manner.

Respectfully submitted,

H. B. Speissegger, Jr., Chairman

B. L. Baker, Secretary

**SOUTH CAROLINA  
STATE BOARD OF ENGINEERING EXAMINERS  
BOARD MEMBERS**

H. B. Speissegger, Jr., P.E. .... Chairman  
S.C. Electric and Gas Company  
P.O. Box 760, Charleston, S.C. 29405  
(Term expires July 1, 1979)

Goodwin G. Thomas, P.E. .... Vice-Chairman  
Goodwin G. Thomas & Associates  
P.O. Box 2676, Rock Hill, S.C. 29730  
(Term expires July 1, 1981)

B. L. Baker, P.E. .... Secretary  
Professor Emeritus, University of South Carolina  
819 Burwell Lane, Columbia, S. C. 29206  
(Term expires July 1, 1983)

Carlton T. Wise, P.E. .... Member  
200 Aberdeen Drive  
Greenville, S. C. 29605  
(Term expires July 1, 1982)

L. L. McNair, P.E. .... Member  
McNair, Gordon, Johnson & Karasiewicz  
P.O. Box 84, Columbia, S. C. 29202  
(Term expires July 1, 1980)

Ferrell J. Prosser, R.L.S. .... Member  
Ferrell J. Prosser and Associates  
P.O. Box 12097, Florence, S. C. 29504  
(Term expires July 1, 1983)



## **S.C. STATE BOARD OF ENGINEERING EXAMINERS ORGANIZATION AND DESCRIPTION OF ACTIVITIES**

The S. C. State Board of Engineering Examiners is charged by law to safeguard life, health and property and to promote the public welfare. Any person in public or private capacity practicing or offering to practice engineering or land surveying in South Carolina is required to submit evidence that he is qualified to practice and must be licensed by the State to do so. The Board evaluates applicants for licensing as professional engineers and land surveyors, examining applicants by both oral and written examinations, and implements the laws of the State of South Carolina governing the practice of engineering and land surveying, especially those involved in licensing requirements for practice and those governing violations of the practice of engineering and land surveying.

### **BOARD OF EXAMINERS**

The Board of Examiners consists of five (5) Registered Professional Engineers and one (1) Registered Land Surveyor appointed by the Governor for five-year terms. Board meetings are held every three months and special meetings are held at such times as necessary. Board Members serve without compensation other than per diem allowance when actually attending to business of the Board and are reimbursed for necessary travel expenses in accordance with regulations of the Budget and Control Board. The Secretary-Member of the Board is charged with the final authorization of all monies received by and disbursed by the Board.

### **ADMINISTRATIVE STAFF**

Agency Director .....	Mary M. Law
Special Investigator .....	Roland E. Trent
Staff Assistant II .....	Ginny B. Jarrett
Secretary I .....	Renee L. Bellamy

The administrative staffing consists of an Agency Director, Special Investigator, and two secretaries. The Agency Director is in full charge of the administrative duties of the office, accountable to the Board Members; plans, organizes and directs activities of the Board and is responsible for carrying out the duties of the Board which are required and necessary to provide the service of licensing of Professional Engineers and Land Surveyors in South Carolina in accordance with the Code of Laws regulating such practice. The Special Investigator is in charge of the Board's Enforcement and

Compliance Program which involves investigation of violations and infractions of the Code of Laws, 1976, as amended, including Rules of Professional Conduct and Practice of Land Surveying in accord with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.

### STATISTICAL DATA

	1975-76	1976-77	1977-78
<b>APPLICATIONS PROCESSED:</b>			
Professional Engineers .....	580	601	523
Land Surveyors .....	89	91	48
Engineers-in-Training (students) .....	402	412	410
Land Surveyors-in-Training .....	—	—	38
Total Applications Processed .....	1,071	1,104	1,019
<b>EXAMINATIONS ADMINISTERED:</b>			
Professional Engineers .....	239	270	255
Land Surveyors .....	101	112	118
Engineers-in-Training .....	488	469	509
Land Surveyors-in-Training .....	—	—	—
Total Examinations Administered: .....	828	851	981
<b>REGISTRATIONS &amp; CERTIFICATIONS:</b>			
Professional Engineers (licensed) .....	408	397	464
Land Surveyors (licensed) .....	19	40	36
Engineers-in-Training (certified) .....	365	372	293
Land Surveyors-in-Training (certified) .	—	—	39
Total Registrations & Certifications .....	—	—	—
<b>RENEWAL OF LICENSES:</b>			
Professional Engineers .....	3,585	3,868	4,058
Professional Engineers & Land Surveyors	253	235	253
Land Surveyors .....	495	496	518
Total Active Registrants .....	4,333	4,599	4,829

Board activities for fiscal year 1977-78 include nine (9) meetings of the Board in addition to examinations held in November 1977 and April 1978, in Columbia, Charleston and Clemson. Since commencing operations in 1922, the Board has registered 7,181 candidates as Professional Engineers and Land Surveyors. As of June 30, 1978, a total of 2,352 of these registrants had their certificates



recorded as being in a lapsed status due to death, retirement from practice or failure to renew their registrations due to other reasons. (Many registrants fail to renew by June 30 each year but do pay within the one-year grace period allowed). As of June 30, 1978, there remained a current number of 4,829 registrants in a current and active status.

The Board also maintains a very active program of certification of Engineers-in-Training, primarily involving college senior engineering students, who are provided an eight-hour examination in the Fundamentals of Engineering and, where successful, issued certificates of registration as Engineers-in-Training. A total of 5,219 Engineers-in-Training have been certified by the Board, with most of these ultimately becoming certified as Professional Engineers after satisfying the required four-year professional experience criterion called for by law and successfully passing a second eight-hour examination in the Principles and Practices of Engineering. This procedure is in accord with certification procedures employed and followed in most of the states of the United States; is vitally necessary so as to allow for comity registrations between states, and to achieve an optimum degree of national uniformity in the licensing and certification of Professional Engineers and Land Surveyors for qualified and competent service to the public.

During fiscal year 1977-1978, a new category of certification as a Land Surveyor-in-Training was initiated as provided for by Act 105 of 1977, effective July 1, 1977. The qualifications for certification as a Land Surveyor-in-Training are lower than those required for certification as a Registered Land Surveyor and allows a trainee aspiring to become registered as a Land Surveyor to complete the first eight-hour examination in the Fundamentals of Land Surveying early in his career. The certified Land Surveyor-in-Training can then proceed to acquire the additional necessary experience to qualify him for registration as a Land Surveyor, and then only have to successfully complete the examination in the Principles and Practices of Land Surveying for certification as a Registered Land Surveyor.

## S.C. STATE BOARD OF ENGINEERING EXAMINERS FINANCIAL STATEMENT

July 1, 1977 to June 30, 1978

Revenue Credited to General Fund

Renewal Fees .....	\$117,518.00
Application Fees .....	24,375.00
Re-Examination Fees .....	2,805.50
Certificate & Miscellaneous Fees .....	<u>2,070.00</u>
Total Deposited in General Fund	
FY 1977-1978 .....	<u>\$146,768.50</u>

### EXPENDITURES

PERSONAL SERVICES .....		
Salaries .....	50,393.58	
Per Diem .....	<u>2,765.00</u>	
Total Personal Services .....		53,158.58
OTHER OPERATING EXPENSES		
<i>Contractual Services</i>		
Travel .....	4,993.87	
Repairs .....	509.72	
Telephone .....	1,678.78	
Printing .....	6,365.94	
Other Contractual Services .....	1,415.00	
Professional & Other Fees .....	626.00	
In-Service Training .....	97.50	
Data Processing .....	<u>4,031.54</u>	19,718.35
<i>Development of Computer Program</i>		
Dev. of Computer Program .....		10,000.00
<i>Supplies</i>		
Office Supplies .....	17,719.28	
Motor Vehicle Supplies .....	574.09	
Postage .....	<u>9,351.48</u>	27,644.85
<i>Fixed Charges &amp; Contributions</i>		
Office Rent .....	6,778.08	
Other Rents .....	790.00	
Dues .....	1,285.00	
Insurance .....	<u>306.60</u>	9,159.68
<i>Equipment</i>		
Office Equipment .....		1,281.16
<i>Fees for Services</i>		
Fees for Services .....		275.00
<i>Employee Benefits</i>		
Employer Contributions .....	<u>7,244.75</u>	
Total Other Operating Expenses .....		<u>75,323.79</u>
Total Expenditures FY 1977-1978 .....		<u>\$128,482.37</u>
Total Lapsed Appropriated Funds		
FY 1977-78 .....		<u>\$ 6,628.29</u>



## **ENFORCEMENT AND COMPLIANCE PROGRAM**

### **A. ENABLING LEGISLATION**

The Board's enforcement and compliance program is administered as provided for by the Code of Laws of South Carolina, 1976, as amended by Act 105 effective July 1, 1977, and the Code of Regulations, Chapter 49, Sections 1 through 18. The principal provisions of the code which enable the Board to enforce the State registration law and to accomplish enforcement and disciplinary actions are as follows:

1) Code Section 40-21-30, entitled "Registration Required for Practice", which provides safeguards of life, health and property; and to promote the public welfare, by requiring any person in either a public or private capacity practicing or offering to practice engineering or land surveying to submit evidence that he is qualified so to practice and to become registered as required by law. This section also prohibits the use in connection with a person's name or otherwise to assume, use or advertise any title or description tending to convey the impression that the person is a professional engineer or land surveyor unless such person has been duly registered.

2) Code Section 40-21-140, which provides the Board with subpoena powers for witnesses, production of books, papers, documents and similar material, and for Board members to administer oaths to witnesses.

3) Code Section 40-21-340, which grants the Board the power to suspend, refuse or revoke a certificate or to reprimand any registrant, who is found guilty of fraud or deceit in applying for or obtaining a certificate of registration; any gross negligence, incompetence, or misconduct in the practice of engineering or land surveying; any felony or misdemeanor the penalty for which is imprisonment in excess of one year; aiding or abetting any person in violation of any provision of this chapter; violation of the Rules of Professional Conduct; or, has been declared insane by a court of competent jurisdiction and not thereafter declared sane.

4) Code Section 40-21-350, which provides that any person may prefer charges of fraud, deceit, gross negligence or misconduct against any registrant and which makes provisions for the holding of hearings to determine the guilt or innocence of the accused.

5) Code Section 40-21-340, which provides that persons found guilty of unlawful practice of engineering or land surveying in the

absence of registration; using or attempting to use the certificate or seal of another person; giving false or forged evidence to the Board; falsely impersonating another registrant; attempting to use an expired or revoked certificate of registration, or violating any provisions of this chapter, shall be guilty of a misdemeanor punishable by a fine of not less than \$100 or more than \$500 or suffer imprisonment for a period not exceeding 3 months, or both.

6) Code Section 40-21-390, entitled "Injunctions", which enables the Board to enforce the provisions of this chapter or to restrain any violation thereof by applying in the name of the State for an injunction as provided generally in civil cases.

7) Code Section 40-21-400, paragraph 1, which provides for legal assistance by the Office of the Attorney General as may be necessary in carrying out the provisions of this chapter.

8) Code Section 40-21-400, paragraph 2, which provides that the Clerk of the Court shall refuse to accept for filing any map, plat, survey or other document within the definition of land surveying dated after July 1, 1977, which does not have affixed thereto the personal signature and impression seal of a registered land surveyor.

9) Code Section 40-21-320, which requires each registrant to obtain a seal for use on plans, specifications, plats and reports when filed with public authorities, and which prohibits the stamping or sealing of any documents with such seal after the certificate of the registrant has expired or been revoked, unless renewed or reissued.

Augmenting the specific provisions cited above, are the Rules of Professional Conduct, which are binding on all registrants, and the Minimum Standards Manual for the Practice of Land Surveying in South Carolina. Pamphlets containing the full text of the Code of Laws of South Carolina, the Code of Regulations, Rules of Professional Conduct and the Minimum Standards Manual for the Practice of Land Surveying in South Carolina are published, updated as necessary, and made available to all registrants and the public upon request.

## **B. REPORT OF BOARD INVESTIGATOR**

During fiscal year 1977-1978, concentrated effort has been expended toward ensuring that Registered Land Surveyors, Clerks of Court and other interested persons, including the public at large, become increasingly familiar with and aware of the contents of the Minimum Standards Manual. This manual was adopted and



promulgated as a part of the Board's regulations in 1977 and it has proven to be of tremendous value by way of providing previously non-existent guidelines for a level of acceptable performance in the practice of land surveying. During the past fiscal year, this manual has been widely distributed and used in educational institutions instructing students in land surveying, by trainees gaining day-to-day experience in land surveying, and, most importantly, by land surveyors in active practice throughout the State. The Board has found that the minimum standards and other provisions of this manual have been generally well-received and adopted by land surveyors in their daily practice. Where minor deviations have been noted or brought to the attention of the Board, these deviations have been called to the attention of the surveyors involved, in an effort to achieve a satisfactory degree of state-wide uniformity and compliance with the standards.

During fiscal year 1977-1978 the Board's Enforcement and Compliance Program has also been directed toward taking of preventive measures aimed at correction of potential violations prior to development into situations wherein formal complaints, hearings and disciplinary actions arise. The Board members and investigator have participated in this endeavor by holding numerous informal discussions with registrants and their subordinates so as to offer suggestions and advisory instructions aimed at ensuring the proper degree of competent professional service to the public by professional registrants, while at the same time ensuring that the direct responsibility, checking and supervision called for by the law is afforded to the work of employees and subordinates of registrants. The acquisition of lawful experience of a character satisfactory to the Board is a registration criterion for every applicant for registration and the Board members accordingly feel that the time and effort expended so as to prevent the development of situations leading toward disciplinary action is as worthy an effort as the meting out of disciplinary action. The response to this effort has been encouraging and has advanced the long-standing effort of this Board to endeavor to resolve minor violations or infractions through voluntary and cooperative efforts where possible and consistent with the paramount duty to protect the health, safety and welfare of the public.

Approximately 100 investigative matters were handled during fiscal year 1977-1978 with the vast majority having been disposed of through voluntary and cooperative effort between the Board and the persons or firms involved. In several instances, it has been necessary

to call upon the services of the Office of the Attorney General to achieve the necessary disposition and these measures, which fall short of initiation of prosecutive, injunction or hearing action, have also proven effective. Standing arrangements with the Office of the Secretary of State have continued to be very effective toward ensuring that engineering firms setting up business in this State have a properly registered firm principal or employee in responsible charge of the firm's engineering services.

### **C. SUMMARY OF ENFORCEMENT AND COMPLIANCE MATTERS**

The Board has employed a full-time investigator since November, 1973. As a matter of interest, there follows a brief description and listing of the more flagrant types of enforcement matters which have been handled by the Board and which did not lend themselves to satisfactory solution other than through stringent and forceful Board action:

Two persons have been prosecuted and received substantial sentences and fines. One of these claimed professional membership in the Royal Society of Engineers of the British Empire, which was never proven to exist. This individual's South Carolina registration was also revoked and registration denied in several other states following this exposure. The investigative and legal services of the Office of the Attorney General were instrumental in the ultimate disposition of this matter.

In two cases, subjects of investigation have chosen to voluntarily relinquish their certificates of registration following investigation, thus avoiding the considerable expense of a hearing while at the same time accomplishing the desired results. Others have not chosen to renew their registrations following or incidental to an investigation.

Although certainly not typical of the thousands of applications for registration processed by this Board, investigations have revealed the following practices, which are generally surprising to the majority of the registered professionals of this Board:

Falsification of academic credentials and other false statements, which, in one case, resulted in revocation action by a number of state boards, primarily in the mid-west, and rejection of the application in South Carolina.

Concealment of illegal practice of engineering and other false



representations, which, in another noteworthy case, resulted in rejection of the application for registration and a permanent court injunction in South Carolina.

Unauthorized and illegal use of the signature or seal of a registrant without his knowledge, which, in one instance, led the Board to seek a permanent injunction to prevent further unlawful practice.

Falsely claiming to be a Professional Engineer registered in multiple states.

Providing resumes to references having little or no knowledge of the applicant's qualifications or experience for the purpose of supplying official "verification" to the Board.

Unethical examination conduct.

Unlawful practice by persons not registered in South Carolina although registered in other states.

Since October, 1977, the Board has scheduled or held 3 hearings in disciplinary matters involving registrants. Two of these cases have been resolved, one by official reprimand citing misconduct and violation of the Rules of Professional Conduct wherein a Land Surveyor failed to properly consider the welfare of the public in carrying out his practice. In the second matter a decision and order has been issued by the Board revoking the certificate of a person registered as a Professional Engineer and Land Surveyor on the basis of his having been found guilty of offenses punishable by imprisonment in excess of one year. The remaining matter was continued and hearing date reset.

Other enforcement and compliance related activities have taken place as follows:

Participation in ethics seminars and related professional society meetings.

Issuance of letters of an advisory nature to persons and/or firms displaying apparent recalcitrance toward or lack of knowledge of the laws and regulations governing registration and the practices of engineering and land surveying in this state.

Circulation of advice to Clerks of Court and other interested persons, including attorneys and the public at large as to signature and impression seal requirements on survey maps dated after July 1, 1977, and presented for recordation.

Liaison activities with other state registration boards, the National Council of Engineering Examiners and other National, State, and local agencies and professional societies dealing with engineers and land surveyors in enforcement related matters.

Continuing liaison with the State Personnel Division aimed at encouraging professional registration by all qualified candidates in State Government.

Frequent conferences with members of the Council of Engineering Societies, which represents a broad spectrum of professional engineering societies in the State and with representatives of the Land Surveying Society and its chapters for mutual exchange of information bearing on the Board's Enforcement and Compliance Program as well as trends and developments of mutual interest in registration matters.

In summation, the Board feels fortunate to enjoy the support of registrants, professional societies, investigators, and personnel of other state boards, and the public at large in the furtherance of the aims of the enforcement program. Suggestions for improvement are at all times welcomed.

### **FUTURE OBJECTIVES**

Continue liaison with the Landscape Architects Board of Registration for promulgation of a joint policy aimed at better defining that work which may be performed by a Registered Landscape Architect and that work requiring the services of a Registered Professional Engineer.

Work closely with the Classification and Compensation Section of the State Personnel Division in a joint endeavor to encourage professional registration by qualified candidates occupying or applying for engineering positions in State Government. Also continue to encourage professional registration in industry and the private practice sector as a further means of affording a maximum degree of protection to the public in its use of professional services, and to the candidate, through the examination and certification procedures prescribed by law.

Through continued public appearances and the news media, further emphasize the importance of the Board's Enforcement and Compliance Program and encourage an optimum degree of cooperation between all registrants, the Board and the public at large in the furtherance of this program.



Continue to work closely with the National Council of Engineering Examiners and all member boards in an ongoing effort to achieve a maximum degree of uniformity in registration and examination requirements among the various states. More uniform standards of education, experience and examination requirements facilitates comity or reciprocity arrangements between state boards of registration and offers a more uniform degree of protection to the public on a nation-wide basis.

Continue to examine and evaluate the provisions of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina so as to make timely changes called for or suggested for the improvement of this manual.

Review, analyze and closely follow the income and expenses of the Board to ensure efficient operations and services within the limitations prescribed by the Annual Appropriations Act, which requires that this Board levy fees and assessments in an amount sufficient to at least equal the amount appropriated for the fiscal year operations of the Board.

Closely follow and adhere to the spirit and intent of newly enacted legislation such as the Freedom of Information Act of 1978 and the Act to Establish a System for the Review, Termination, Continuation or Reestablishment of State Agencies, Boards, Departments and Commissions.

Through liaison with the Computer Section of the General Services Division of the Budget and Control Board, continue to closely follow and evaluate the effectiveness and efficiency of the computerized system instituted during fiscal year 1976-1977 and continued to date for the rapid correlation of registration renewal, fiscal and other statistical information.

Continue Liaison with schools and colleges in South Carolina so as to encourage maximum utilization of the accreditation services provided by the Engineering Council for Professional Development, and also to encourage more extensive professional registration by educators engaged in the fields of engineering and surveying education.

**S.C. STATE BOARD OF ENGINEERING EXAMINERS  
PUBLICATIONS**

1. DIRECTORY OF ENGINEERS AND LAND SURVEYORS REGISTERED IN SOUTH CAROLINA (annually)
2. CODE OF LAWS, 1976, TITLE 40, CHAPTER 21, regulating the practice of Engineering and Land Surveying in South Carolina (publish as amended)
3. CODE OF REGULATIONS PROMULGATED BY THE BOARD under Authority of Section 40-21-110 of the 1976 Code of Laws
4. RULES OF PROFESSIONAL CONDUCT (Promulgated under Authority of Section 40-21-110 of the Act)
5. MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING (Promulgated under Authority of Section 40-21-110 of the Act)